



THE CITY OF NEW YORK
LAW DEPARTMENT
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June 6, 2022

BY ECF

Honorable Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Kayla Rolon, et al. v. City of New York, et al.,
21-CV-02548 (CM)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and am among the attorneys representing defendant City of New York ("City") in this matter. The parties write jointly to address the issues raised in Docket Entries Nos. 576 and 580¹. The parties also write jointly to note that defendants are seeking, and plaintiff consents to, an extension of time for defendants City, DeBlasio, Shea, Monahan, Wells, Frantzen, Fierro, Brodie, Pichardo, Lucero, Altamirano, Dixon, and Haledman to answer the Complaint until July 6, 2022. The parties have agreed that plaintiffs shall voluntarily dismiss their claims against the NYPD. Further, defendants shall not file a F.R.C.P. 12(b)(6) motion in this case.

There are several reasons for seeking an enlargement of time in this matter. First, in accordance with this Office's obligations under Fed. R. Civ. P. 11, and before defendant City can adequately respond to the Complaint, this office must conduct an investigation into the actual allegations set forth in the Complaint. The individual officers are currently in the process of being interviewed by the Office, and having representation decisions made.

For the reasons set forth herein, defendant City respectfully requests that the Court enlarge its time to answer or otherwise respond to the Complaint until July 6, 2022; defendants

¹ As an initial matter, there was a miscommunication between the parties that resulted in the filing of the above-referenced letters. The parties conferred by telephone today and have cleared those issues; the Defendants apologize to the Court for the misunderstanding.

further request that the Court *sua sponte* extend the time for the individual defendants to answer until July 6, 2022.

Defendant City thanks the Court for its time and consideration herein.

Respectfully submitted,

/s/ *Niki Slattery*

Niki Slattery

Senior Counsel

Special Federal Litigation Division

cc: All Counsel of Record (*via* ECF)